

MARYLAND GAZETTE.

THURSDAY, NOVEMBER 30, 1786.

To GABRIEL DUVAL, Esquire.

S I R,

If you can ever so far beguile mankind, as to receive your assertion for proof of the fact asserted, you will be a dangerous adversary indeed. Nothing will be too absurd, nothing be too base to be charged upon any citizen who presumes to speak with freedom of the conduct of yourself, and those with whom you are connected; but although you have for the purpose of making an attack on me been selected as the most likely of my enemies to gain credit with the public, and have shewn yourself to be as much above all scruples as your most sanguine friends could have wished; yet your last performance betrays a consciousness of apprehension that the attempt to bear down truth and justice, is too much for even your talents for disguise; and that instead of injuring me by straining that credit which you have gained by a smooth external appearance and cautious deportment, rather than by real merit, you have not only failed in the object intended to be accomplished, but have so fully proved what your real character is, that you will never hereafter be able to do harm to any other citizen. To a man of your disposition, this situation must be distressing in the extreme; not less so, than that of the hungry deprived of food, or the thirsty of drink.

Your exordium is certainly one of the most finished pieces of composition that ever graced a news-paper, and contains sentiments so very excellent, that it would seem like the effect of envy, were I not to remark upon the most striking of them.

To speak or write truly in private or public manner respecting public transactions has generally been thought, not only allowable, but the right of every free citizen.

According to your refined ideas of propriety, it is ungentlemanly and dishonourable to write a letter to a correspondent upon public transactions; because the press is open.—So that no man who does not incline to enter into a news-paper controversy, has a right to say or write a word on public transactions: This discovery deserves to be remembered by all those who act improperly in public character, as a certain specific against the complaints of such of their countrymen who will not commit themselves to public altercation, wherein they will offend men, who never forgive the injury done to themselves and the public, by an attempt to correct their errors. And of course will have a lead of the most foul calumny which provoked malice never fails to bestow.

After stating the transaction to be public, you suggest, that the letter, respecting it, was wrote to injure private character and reputation; by which I presume is meant, that as some of the commissioners, at the time of their account being examined, had ceased to hold any public character—that they were to be considered as private men. And any thing said of their transactions when public men was improper after they had become private men; this idea is also new; and if adopted will be an excellent shield to all public defaulters, who resign their employment before an examination of their conduct can be had, and before their accounts, and transactions are even stated for inquiry. And any man who attempts to promote the inquiry, may according to your rule of right, be justly charged with a wanton attack on private reputation.

Another idea is insinuated which seems to be your favourite. That a writer in severe proportion to the coarseness of his language, and the violence of his abuse. These are the true things which you believe penetrate your adversary deeply; and all things not grossly rude are mere glimmers of wit. This impression you have received so strongly, that you suppose it impossible that the *Sting* in your first publication were not felt by me. While I, viewing things according to the mode heretofore established, would not help considering your performance, as extremely offensive to sentiment and decency, without the smallest spice of true wit, or genuine satire; and being conscious of the rectitude and propriety of my conduct, I stated the circumstances which gave rise to the letter complained of, and proved beyond contradiction that the facts mentioned in it were true; and these you have not ventured to deny; but contented only the parts of my letter which may properly be called matters of opinion. Namely the objections to the commissioners accounts. These still remain subjects of discussion. And notwithstanding the perplexity in which you have attempted to involve them, by your last publication, I have no doubt, but a proper examination will shew, that the opinion I have given, that your account was a most extraordinary one, is as just as the fact is true, that

a thin council gave you an order for the amount of it.

The first question between us is, whether the commissioners can legally, or justly claim a commission of two and an half per cent. specie on the first and second sales of property, where resales have been made under the authority of the legislature. The quantum charged is immaterial in the discussion of the question. To decide properly upon the question, two inquiries are necessary; first, what was the intention of the legislature as to the reward for the services of the commissioners?—Second, if any case has happened not foreseen by the legislature; and if so, what is just and right in such case? It is acknowledged by you, that certain duties were enjoined by the legislature to be performed by the commissioners. To sell the property in convenient lots, or parcels,—to receive and pay the money where sales were directed for ready money;—and where on credit to take bonds with good security, and to lodge the bonds in the treasury as soon thereafter as possible.—The legislature gave a reward of two and an half per cent. on the amount of the sales, payable in wheat at seven shillings and six-pence per bushel, or red money at par, (worth about one and an half per cent. specie), on these services being performed. The commissioners under the laws enjoining these duties and stipulating this reward, make sales to a considerable amount, and do not take bonds as enjoined by law. And they also make sales to a considerable amount and take bonds for property purchased by persons who allege they were deceived in their purchases. The legislature directs an officer who superintended the state finances, to inquire into the sales where bonds had not been given, and also into the circumstances of the sales complained of, where bonds had been given. And to set the sales aside under particular circumstances. And that where sales are set aside the commissioners shall refund the property. Property which never has been sold is, by the same legislature, also ordered to be sold by the intendant of finance, and he is allowed one and an half per cent. commission only—resales are ordered by the intendant. Was it the intention of the legislature to give the commissioners two and an half per cent. specie, both on the first and second sales? You maintain the affirmative, and therefore ought to prove it. I called upon you to shew, by what law it was you charged this commission, and stated, that the act for consolidating the funds, &c. and for vesting the intendant with powers to order a resale of Nanticoke manor lands, gave you no commission on the resales. This argument you say scarcely deserves to be considered, and "obscure that the two and an half per cent. commission was given by an act passed in January 1782, and is never afterwards mentioned in any act directing a sale of British property, and therefore this argument proves too much, as it would deprive you of commission on the sales in 1783, 1784, and 1785." It appears to me that the argument which you think does not deserve consideration, would itself prove you had no right to commission, and that your answer to it is by no means satisfactory. Suppose the consequence follows which you allege, will it prove the fallacy of the argument. Your right to any commission depends on the following clause of an act to settle and pay the civil list, &c. passed November session 1781, chap. 29, wherein it is enacted, "That a commission of two and an half per cent. be allowed to the commissioners for the preservation and sale of confiscated British property, on the amount of the sales, in full for their services, and the allowance to their clerk, and all expenses, except only the charge of surveying the land and advertising the same for sale, the said commission to be paid in bills of credit, or wheat, as before mentioned, at seven shillings and six-pence per bushel." All the property on which you can justly charge commission had been ordered to be sold before the session in November 1781, and were ordered by acts of that session, or acts in the course of the year 1782. If any property was ever sold except such as above specified, or the property resold, which is the subject of the present dispute, point it out. As to all property ordered to be sold antecedent to the act of November session 1781, and which had not been then sold, and such as was directed to be sold by laws passed in 1782, it may be fairly supposed the legislature intended you should draw the commission mentioned, payable as directed by the act of November session 1781; but can it, with equal propriety, be supposed, that the legislature had the same intention when the acts of November session 1784 were passed? And that they did not mention any commission on the resales in virtue of these acts, because they knew you had an established

right to a commission by a temporary law in 1781. But as the law is silent as to commission to the commissioners upon the resales, all that you can rest your claim on, is, the presumption arising from the legislature having directed a particular service to be done, that they of course intended a reward for this service. Suppose the presumption could be fairly made from the circumstances of this case; that a reward was in equity due—why fix it at two and an half per cent. specie? This was not agreeable to the ideas of the legislature who passed the law, even in cases where the property was to be sold which never had been before exposed to sale. For they allowed the intendant but one and an half per cent. on sales made by him. And surely if you paved the way for him as to property which never had been sold, you had made it equally smooth for yourselves as to property which you had once prepared for sale. The trouble to the intendant must have been equal to that of the commissioners, and the benefits arising to the state as great. Now suppose any commission intended to be given to the commissioners on the resale, what could have justified the legislature as public trustees in giving two and an half per cent. when they could have got it as well done at one and an half. Would the circumstance of there being two commissioners have justified wantonly throwing away one per cent. on all property to be resold? Certainly not. No idea of justice upon your principles could have induced the legislature to give you the resales; because if you were to charge commission on all sales before by you made, whether you resold or not. The engagement between the state and you as to this, was at an end; and the legislature had a right to get any body else to finish the business upon the best terms. It was not the wish of the legislature, you should resell the property. It was your own request that you should have the opportunity of securing a commission by the resales, and having done this, you very conscientiously set up a claim, not only to what you prayed for, and what was granted to prevent the smallest imputation on legislative generosity; but also to a sum which was not at the time in your idea to ask, or of any member of the general assembly to give.

The circumstances really attending the passage of the act for consolidating the funds, &c. prove beyond doubt, that double commission was never intended to be given by the legislature, or thought of by the commissioners when that act passed.

In my former publication I stated the substance of your and Mr. Hollyday's memorials from memory; I have lately obtained copies of them, and that there may hereafter be no difference between us as to their contents, I take the liberty of inserting them at length.

To the honourable the General Assembly of Maryland,

The remonstrance of Gabriel Duvall of the city of Annapolis, humbly sheweth,

That the report of the committee of supply contains a resolution which is already passed by the house of delegates directing a second sale of that part of confiscated property which has been sold by the commissioners, and for which bonds have not been taken; whereby the commissioners will lose the commission arising on those sales. This resolve is fraught with such injustice and inequity to your remonstrant, that he is persuaded, that it will not have an advocate in either branch of the legislature when his conduct is fully stated and clearly understood by the members of the general assembly.

In the month of July, in the year 1781, he had the honour, without solicitation on his part, to be appointed one of the commissioners for the preservation and sale of confiscated British property, in consequence of which appointment he qualified in the manner directed by law, and entered upon the function of the duties of his office.

That the commissioners continued to dispose of the confiscated property for a per diem allowance until the 22^d day of January, 1782, when an act was passed giving them a commission of two and an half per cent. they to pay all expenses, surveys fees and charges of advertisements excepted; under which law they have disposed of property to a very considerable amount, of which there yet remains about £108,000 for which bonds have not been taken; some of the purchasers pretemporarily refusing to bond, and others absenting themselves immediately after purchasing, and thereby precluding the commissioners from the opportunity of taking them.

Your remonstrant begs leave to observe, that by the several acts of assembly under which the commissioners have acted, they have been vested

"with separate, as well as *conjunct* powers; and most of the sales which have been made, were under the direction of *one commissioner only*, the others being obliged to attend other sales at the same time, in different parts of the state; and in all the sales which have been made by your remonstrant, who transacted an equal share of the business, whilst in office, there is but *one person* who has refused to bond, and his purchase amounts only to the sum of £.137. 16 3

"In consequence of refusals to bond by the different purchasers, together with other motives, the commissioners were induced to present an address to the general assembly, dated the 5th day of June, 1782, requesting their advice and direction, which yet remains among the files of the honourable house of delegates, and to which he begs leave to refer your honours; and an act was thereupon passed, making provision accordingly, entitled, An act respecting claims to confiscated British property, and to direct the commissioners in certain cases; that suits have not been commenced against those who refused to comply with the terms of sale, has not been the fault of your remonstrant; although he presumes he may with propriety remark, that the state is by no means injured, nor the delinquents benefited by the not taking bonds; because he thinks he may venture to assert, that the greater part of the property which remains unbonded, is in possession of some of the most opulent men in the state, who are well able to pay for it; and because, by the provision contained in the act aforesaid, the state may obtain a judgment against them for the amount of their purchases, before the money would become due, provided bonds had been given according to the terms of sale; and he may add, that the property cannot be divested out of the state until payment is made.

"That many of the purchasers will not bond by the day set in the resolve, if left to their option, is certain; because the property sold by the commissioners has, in most instances, been purchased at a very extravagant price; and if your remonstrant may be permitted to hazard an opinion, it will not sell for more upon a second sale, even if sold for all kinds of certificates, and the state will lose the interest which has become due since the sales.

"Your remonstrant flatters himself that he has discharged his duty as a faithful trustee of the public, and that he has ever, with unshaken integrity, steadily adhered to the true interest of the state. And under the circumstances he has had the honour to premise, which are strictly true and capable of the clearest demonstration, he conceives himself as much entitled to a proportionate part of the commission arising on the unbonded sales, as any citizen of the state is entitled to any property which he has acquired under the sanction of law. He applies to the dispassionate consideration of your honours as to the justice of the claim, and hopes, that that part of the said report which directs a second sale of the unbonded property, may not be passed into a law, as the legislature will thereby, at one breath, give their fiat to deprive him of that which he apprehends to be justly due to him for services performed years ago. Your remonstrant, since the resignation of colonel Ramsey, was prevailed on to accept the appointment in his stead, and has neglected his private business, and devoted almost the whole of his time for several months past, which was by no means incumbent on him, to the business of the office, without any other prospect or desire of reward than finally to complete the unfinished business, and to enable him to draw the commission due to him for former services which cannot be done previous to a final settlement; notwithstanding he cannot either in reason, justice, law, honour or conscience, be any more responsible for the conduct of any commissioner but himself, than any other member of the community, when it is considered that they acted in a separate capacity, in conformity to the directions and under the authority and obligation of law.

"Your remonstrant preferred a memorial to the honourable the general assembly at their last session, which was referred for consideration to the present session, to which the state is party, and your remonstrant only remotely interested to which he prays the attention of your honours.

"Signed, Q. DUVALL."

"December 22, 1784."

"To the honourable the Senate of Maryland. The petition of Clement Hollyday, one of the commissioners of confiscated property."

"Your petitioner begs leave to represent, that during his late necessary absence from the seat of government, a bill passed the house of delegates containing a clause which directs, upon certain contingencies, a second sale of that part of the confiscated property which has been sold by the commissioners, and for which bonds have not been taken. The second sale is directed to be made by the intendat, and the commissioners may in consequence lose the whole of the commissions arising upon the first sale.

"The gentleman who is joined in commission with your petitioner preferred, some days ago, a remonstrance to the general assembly, which was received by your honours, and, according to the usual course of business, after one reading, was

referred to the house of delegates, who did not give it a second reading. As it contains a state of facts which your petitioner deems very material, he begs leave, with the consent of the remonstrant, to refer your honours to it, and earnestly entreats that your honours will take it into your most serious consideration.

"In addition to that state of facts, your petitioner is under the necessity to represent, that he is not chargeable with neglect, although bonds in many instances have not been taken from the purchasers of confiscated property agreeable to their contracts. It was his sincere wish to proceed against them agreeable to the ninth clause in the act respecting claims to confiscated property, and to direct the commissioners in certain cases. This clause, your petitioner apprehends, has not been recollected by some of those whose voices were given for its passage at April session 1782. It is as follows, "And be it enacted, that where any person hath purchased, or shall hereafter purchase, public property of the said commissioners, and shall not comply with the terms of sale by giving bond as required, or by non-payment at the time limited, (and no provision hath been already made in such cases) the said commissioners may sue such purchaser in their names (endorsing on the writ that the action is brought for the use of the state) for the sum due, and may declare for so much money received for their use, and the defendant shall plead the general issue and proceed to trial the first court, unless the court are fully satisfied that justice requires a continuance of the cause, and the court shall compel a trial as soon as the same can be had with justice to the party and the state, and on the judgment which shall be rendered for the whole purchase money, execution shall issue from time to time for the recovery of the several payments as they become due." With respect to the injury which the state may sustain by repealing this clause, or by rendering it a dead letter, your petitioner begs leave to refer your honours to the aforesaid remonstrance.

"Your petitioner lastly represents, that in the spring of the year 1782, he, for the purpose of better executing the duties of his office, removed his family to Annapolis, and has resided there and in the neighbourhood ever since, that the expences of his living have been thereby increased greatly beyond what they were before, and that he has received from the public since November 1782 only £.285. £.200 of which was partly in consideration of pay due before that period; and if nothing is to be allowed him for the sales of that part of the confiscated property which is unbonded, he apprehends that if there is not a balance against him in favour of the state, there will be little or nothing for him to receive, and after several years service with strict fidelity he will find himself deprived of his rights and reduced thereby to much distress; but above all, a stigma will, by the world, who seldom inquire minutely into circumstances, be fixed on his character. His only hope and his earnest petition is, that the virtuous senate of Maryland will consider those things, and that they will not permit so much wrong and such injustice to their petitioner."

"Signed, CLEMENT HOLLYDAY, December 31, 1784."

"Notwithstanding all your complaints and professions, both the bill respecting Nantocoke manor, and the bill for consolidating the funds, passed the house of delegates, containing a direction that the intendat should resel the property. Both you and Mr. Hollyday suggest the strongest apprehensions of losing all commission on property sold and not bonded for, if the bill with the direction above mentioned passed into a law. The senate proposed an amendment to the bill for consolidating the funds, &c. that the commissioners should resel instead of the intendat; this amendment was acceded to by the delegates, and conformably to the principle of the amendment, the bill respecting Nantocoke manor, which I believe had passed both houses, directing the intendat to resel, was also by consent altered. Was the intention of these alterations to give you two commissions, or to secure one only? Your memorial answers the question. The only complaint that you had was, that if the property was directed to be resold without your having an opportunity of finishing the business, and thereby entitling yourselves to commission, that you would lose the whole fruits of your past labours. The alteration was made to prevent all grounds of complaint, and to give you a fair opportunity of entitling yourselves to a commission, by performing that service to the state upon which alone it could be due. And the point now in dispute is, whether it is just, that you should be allowed to pervert the law so altered to the purpose of securing the old, and of giving a new commission? Suppose your memorial, instead of suggesting the grievance that it contained, had been in substance according to your present claim. Then it would have run in this manner: We the commissioners have sold property which has not been bonded for agreeable to law. And we have sold property and taken bonds in some cases wherein the purchasers complain they were deceived. And we understand the assembly are about to give the intendat powers to order resales of the above property, and to give him one and an half per cent. commission on the resales. Our right to two and an half

per cent. commission on the first sales is undoubted, and we shall demand it whether employed in the resales or not. And as this is not enough, we claim a right to resel also; and moreover two and an half per cent. specie on all the resales, and we shall be injured and aggrieved unless this our claim is acceded to. Would not such an application have been treated with indignation by every member of the legislature? And if such an attempt had been made, and you had been gratified, would not the legislature have sacrificed every regard to justice and their constituents, for the sake of men who, as officers, were generally thought by the delegates to have mismanaged the affairs committed to them. To support your claim to double commission you must suppose the legislature, in adopting the amendments of the bills referred to, intended wantonly to lavish the public money upon officers who neither asked, or deserved it, or that an alteration took place in consequence of your application, which the legislature intended for one purpose, and you have made use of for another. You may take your choice of these grounds, and none other is left for you. It is clear that the main object of your memorial was to secure a commission for any other purpose they were vain and impertinent, for if the legislature wanted your advice respecting the proper conduct to be pursued, they would certainly have asked it, and it would have been strange presumption in you to have obtruded your counsel upon the legislature with no other design, than that of directing their conduct to the advantage of the state upon a subject which was as well known to every man as to you. It might have been consistent with your wisdom to give the assembly the information, but it would have been ill suited to theirs to have heard you with patience telling them a thing which the most ignorant man in the state knew. But having the security of your own interest principally in view, you thought professions of regard for the interest of the state might pave the way to the accomplishment of the end you chiefly aimed at. This is a very common artifice, and always has more effect than it deserves. You admit, that if the act had directed a resale of the property purchased, and for which bonds had not been given, you might have been compelled to file a bill in chancery, to recover your commission: by which I presume you mean if the resales had been by the act directed to be made by the intendat; for the act referred to directs the resale to be made by the commissioners, and therefore you cannot mean that a direction to them to resel would have had the effect suggested without giving up the point in controversy. I take what I suppose must be your meaning. If you would have been obliged to resort to chancery for recovery of your commission on the first sales, upon a resale being directed by law to be made by the intendat. What has relieved you from that necessity? You will answer, the act directing the commissioners to resel instead of the intendat gives the commissioners a legal right to commission. I ask, to which commission, the first or the last? You will certainly not contend that it gives a right to both. Make your election, take either, and you establish the objection I have made, which is, that you cannot in any instance charge both. As no commission was by the legislature expressly given on the resales, and you knew none was intended, you ought either to have refused to do the service and relied your claim to commission for the first sales upon its own merits, or you ought to have done the service upon the terms intended by the legislature, or if you thought, after the service was performed, you deserved more than a single commission, which alone you could claim by any law, you ought to have stated your case to the legislature, and prayed a further grant of money for your services; but having, as you suppose, secured one object by applying to the legislature, it could do you no harm to attempt another from a different power in which, by a variety of incidents, you have succeeded beyond all expectation, and have given an example to encourage the hopes of the most enterprising in their attacks on the treasury.

"Suppose the legislature had passed the law you so much dreaded, and you had applied to the chancery court to recover your commission, and suppose a bill against the state had been determined to be proper, you would have been obliged to have stated the services performed, as the grounds upon which you claimed commission, and to have shown some law by which the rate of commission was established. This would have given the chancellor an opportunity of examining your conduct in all the sales upon which you charged commission. And, as I have been informed, it is a rule in that court, that he who seeks relief must do equity. I conceive that if the chancellor had discovered any misconduct in the sales of property, or any neglect by which the state had suffered, the loss sustained by mismanagement would at least have been set against so much commission as the loss amounted to, and if the loss exceeded the commission, you would, upon suit by the state, have been liable for the surplus of loss. But suppose every thing had appeared perfectly right, and that it was not your fault that the laws had been infringed by bonds not having been taken and lodged in the treasury; what could a chancellor have given you upon any principles of law or equity? Certainly not two and an half per cent. specie upon the sales. He would tell you, that this commission was payable in depreciated paper, or in wheat at a nominal sum, far beyond its real value; that the commission was

nominaly so high, because the articles in which it was to be paid was not worth what they were nominaly rated at; that all the other officers of government had received those articles specifically, at a time when they were worth little more than one half of what they were rated at, and of course the officers of government received in real value little more than half their nominal salaries; that the commissioners could therefore only be entitled to receive in specie the real value of the articles when the commission was earned; that the state had, upon unsettled accounts, made good the value of depreciated money paid for specie debts; and therefore, upon every principle of mutual justice, the state ought only to pay the specie value for debts contracted in depreciated paper. You would also have been told, that although it might not have been your fault that bonds were not taken, yet as this was part of the duty required to gain a right to the whole commission, and the performance of it was attended with some trouble and expence; and this must be done by some body to put the state revenue in proper order, that a reasonable deduction ought to be made from the specie value of the commission on this account; this, I think, would have reduced your claim of commission to one and a quarter per cent. upon the first sales, supposing in every instance you had done your duty, and had shewn it as clearly as the contrary is capable of being proved. I will suppose also, as to the refales, that it had been as clearly the intention of the legislature to give you a commission, as it really was to give you none; and suppose the legislature had not expressed the rate of commission, and a judge was called on to make a construction on the act as to the commission the officer should have, I apprehend he would determine that the officer was entitled to a reasonable reward, and if he found the legislature had established at a rate of one and an half per cent. to another officer for a similar service, it would be a good guide for his determination of what was a reasonable reward; he would not suppose, because a reward was given by the legislature upon former occasions in articles at a nominal and arbitrary value, that he ought therefore to give a reward in specie equal in nominal sum to the reward given in articles estimated at an excessive and arbitrary value; but if he found that by reducing the nominal sum formerly given to its real value, it agreed with the sum given in specie to the officer for similar services, he would not hesitate to determine, that this was the rate which legislature had thought right, both in past and present times. Those who determined in favour of your claim, gave you commission where none was directed by law, and fixed it in specie as high in sum as the reward which had formerly been given for other services, was in depreciated paper; and this you attempt to justify, with as much confidence as if there really was no difference between specie in 1785, and in red money in 1782.

The only argument used to support this extraordinary measure of justice is, that the commissioners, three in number, being necessary during the war, ought to have been each allowed as much as the intendant was allowed for selling property in time of peace, and therefore it is right that the commissioners for sales in time of peace ought to have an higher commission than the intendant, to make up for the deficiency of their commission in time of war; but this will not do in practice in the present case, if it was right in theory, unless you give your colleague, colonial Ramsey, who resigned before this peace establishment, an equal share of it with you and Mr. Holliday, for he was as great a loser certainly by the very low commission during the war as you were; but before this rule of making amends can be established, you ought to prove the commission during the war was too low for the men engaged in the business, and it will be very difficult to induce a belief that the reward was not fully equal to the services rendered, or that either of you was ever engaged in a business so lucrative in peace or war.

I have considered the question upon the grounds of construction only, and it will, I think, be difficult for you to shew any principle of expounding laws, or any circumstance attending the passage of the act referred to, which entitles you to double commission, even suppose you were not so culpable in the execution of the trust reposed in you, as I believe you to be. You readily agree, that if you had fully discharged the duties of your office, you required such a right in the reward stipulated for your services, that you ought not to be deprived of it by acts of legislature; but suppose this to have been the case, it will not follow that you are entitled to double commission because you refald the property without any additional reward proposed, and under an idea that none was intended to be given, and with a view only of preventing a dispute respecting your right to any commission. But according to your own admission, if the first sales were not properly conducted by the commissioners, they are not entitled to any commission on them, and then, instead of 893l. being deducted from your accounts, the deduction ought to have been equal to all the commission charged on the first sales of property, rightfully ordered to be refald, which will amount to a larger sum than the deduction stated by me. That the refales were negligently and improperly directed, and that the necessity of refale, and consequent loss to the state where any happened, proceeded from your misconduct, I shall

now proceed to shew: and first, as to the subject of Nanticoke manor, for which bonds were taken by you and lodged in the treasury, from which you allege you acquired a right to commission on the sale of this property. If the sale had been made in such manner that the state could have fairly and honestly compelled those who purchased to pay what they had passed their bonds for, then I agree you acted within the spirit of the law directing sales to be made in convenient lots; but if the state could not, consistently with justice, have compelled the purchasers to pay, and that owing to the manner in which the sale was made, then you must allow that the refale was proper, and that your charge of commission on the first sale cannot be supported. I asserted, that it was proved the first sales of this property were made in such manner, that the lands the purchasers thought they bought, would not fall to them by following the plot used by the commissioners, and that the sale was made in such a confused manner, that it would have been wrong for the state to have attempted to compel payment of the money mentioned in the bonds which were passed by the purchasers, upon the supposition and belief that the commissioner had given a true state of the location of the land; whereas, upon examination, it was found that the lines of the lands bought when run agreeably to the plot by which the commissioners sold, would not include the places alleged to be included when the sales were made. You deny that such proof was given to the delegates or the intendant as would justify a refale of the land, and declare that the true reason why the purchasers wanted to vacate their bargains was, that the land sold too high, and that the petitions and depositions were a mere artifice to deceive, and ought not to have been regarded. As to Mr. Holliday's purchases of three lots, you admit they did not lie as he supposed—these were parts of the lands described on the plot; and the whole land was laid off into lots or parcels upon the plot. Now, if Mr. Holliday's lots did not lie as was supposed, and were cut to pieces by pursuing your plot as he alleges, I ask if the admission of this single fact does not prove that the other lots would be thrown into confusion, and would lie differently from what was supposed and declared? Let any man make a plot with lines for lots No. 1, 2, 3, 4, &c. binding upon, and connected with, each other. Suppose lot No. 1 is said to contain a certain field, No. 2 binds on No. 1, and so throughout the plot; but when No. 1 is actually run according to the lines in the plot, it is found not to include the field, but that the field will fall into No. 2, and perhaps a field or other improvement intended to be included in No. 2 will be left for No. 3; and part of the land described to be in No. 3 will fall into No. 4, and so every lot will be deranged. You also admit that Doctor Sullivan, who bought lot No. 4, was deceived in his purchase; this adds strength to the above reasoning. The method I am informed you took to describe the land, and to include such parcels as were intended to be included, was as follows: You had a plot made for the revenue office under the old government, upon which the extent of certain leases was delineated, and some small tracts of patented land were described without survey or examination. You drew lines on this plot so as to include certain portions of ground with certain improvements. When the sale was made it was declared, that such a lot, No. 1 for instance, included such ground and improvements, but, when the land was actually surveyed, it was found that your random line did not include the land intended; and Mr. Holliday's purchase, as appears by his letter, was divided by a lot running between the several parts of it; and he had four lots by pursuing your lines, whereas he really bought but three lots, and none of the four joined; whereas he asserts the contiguity of two out of the three lots was the cause of his buying. Now, will you be pleased to let us know how Mr. Holliday's and Doctor Sullivan's lands, as they really purchased them, can be laid down, and the other locations connected with, and dependent on them can be preserved? Produce your plot; let us have the written evidence you refer to stated; do not suppose it will be sufficient to say you have satisfactory proof without producing it; for if this would do, no man could stand upon equal ground with you. Having shewn by demonstrative argument, from facts you admit, that the lands could not lie as given out by the commissioners at the first sale, I will also shew by proof of witnesses, that the other facts in the case correspond with the reasoning from the facts admitted. The reason of my omitting to publish the depositions in my answer to your first publication was, because it did not appear to me that you could possibly deny what you knew could be so easily proved. I will now insert them with Mr. Holliday's letter and my answer, and the public will judge whether I wantonly set aside the sales to the injury of the state, or you made the sales in such manner that the purchasers were deceived, and would have been injured if they had not been set aside.

The deposition of Richard Standford, (the vendue master) of full age, being sworn on the Holy Evangelists, deposeth and saith, That at the time of the sale of Nanticoke manor by the commissioners of confiscated property, lot No. 4 was set up, and declared to contain part of the plantation where Godfrey Medes lived, part of the plantation where Eleanor Jones lived, and a small plantation where some free negroes

lived; that said lot was bought by James Sullivan; and further, when said lands were laid out by the surveyor, parts of the aforesaid plantation were taken away from said lot by a tract of land belonging to James Steele; that three lots, purchased by James Sullivan, John Smoot, and Hugh McBride, in the town of Vienna, lie within a survey made by Pitcher Willy; and further saith not.

RICHARD STANDFORD.

Sworn before me the 5th day of April, 1785.

JAMES SHAW.

The deposition of Levin Bestpitch, of full age, being sworn on the Holy Evangelists of Almighty God, deposeth and saith, That when the commissioners for confiscated British property made sale of Nanticoke manor, that lot No. 8 was declared to contain only two hundred and fifty acres of land, said to take in the land where John Pike formerly lived; that when it was laid off by the surveyor it contained three hundred and forty-three and one quarter of an acre; that the plantation where John Pike lived was entirely left out but about two acres, and nearly the whole of the land lay in deep swamps, and very little of the whole cultivated; and further saith not.

LEVIN BESTPITCH.

Sworn to this 5th of April, 1785.

JOHN SMOOT.

The deposition of Richard Standford, of full age, being sworn on the Holy Evangelists, deposeth and saith, That when the commissioners of confiscated British property made sale of Nanticoke manor, lot No. 5 was declared to contain the plantation where William Smith formerly lived; and further saith, that when said land was laid down by the surveyor, great part of the aforesaid plantation was taken away by lot No. 4.

RICHARD STANDFORD.

Sworn to before me the subscriber this 5th of April, 1785.

JOHN SMOOT.

The deposition of Richard Standford, of full age, being sworn on the Holy Evangelists, deposeth and saith, That when the commissioners for confiscated British property made sale of Nanticoke manor, lot No. 6 was declared to contain three hundred and eighty acres, and only eighty acres thereof marsh; and further, when the said land was laid down by the surveyor it only contained three hundred and twenty-four acres, and fully one half thereof marsh, and not more than thirty-five acres of woodland; and further saith not.

RICHARD STANDFORD.

Sworn to before me the subscriber, this 5th day of April, 1785.

JOHN SMOOT.

The deposition of Richard Standford, of full age, being sworn on the Holy Evangelists, deposeth and saith, That when the commissioners for confiscated British property made sale of Nanticoke manor, lot No. 9 was declared to contain the plantation where Michael Holland lived; and further, that when said land was laid down by the surveyor, a great part of the aforesaid lot was taken away by a tract of patented land belonging to James Steele, not laid down, also by another tract of patented land belonging to Benjamin Craft; and further saith not.

RICHARD STANDFORD.

Sworn before me the subscriber, this 5th day of April, 1785.

JOHN SMOOT.

The deposition of William Wheeland, of full age, being sworn on the Holy Evangelists, deposeth and saith, That when the commissioners for confiscated British property made sale of Nanticoke manor, lot No. 10 was declared to contain the lands held by a certain Levin Bestpitch, by leases from the lord proprietor, which land, when laid out, in a great measure excluded him from the same, and that by Party certificate, said to contain the quantity of three hundred and seventy-one and three quarters of an acre, and that when said lands were surveyed by a certain Matthew Smith, deputy surveyor, the aforesaid lot No. 10 only contains one hundred and eighty-two acres, as by certificate, reference being had thereto, will more fully appear; and further saith not.

WILLIAM WHEELAND.

Sworn to this 5th day of April, 1785, before

JAMES SHAW.

The deposition of John Hicks Travers, of full age, being sworn on the Holy Evangelists, deposeth and saith, That when the commissioners for confiscated British property made sale of Nanticoke manor, that Pitcher Willy bought three lots, No. — — —, lying in the back part of

Vienna, which said lots he fully expected to lay in a quite different place from what they were when they were laid off; and further faith not.

JOHN HICKS TRAVERS.
Sworn to before me the subscriber, this 5th of April, 1785.

JOHN SMOOT.
The deposition of Pritchett Willy, of full age, being sworn on the Holy Evangelists, deposeth and faith, That when the commissioners for confiscated British property made sale of Nanticoke manor, that John Hicks Travers bought three lots, No. —, lying in the town of Vienna, which was expected to lay in a quite different place from what they were when they came to be laid off; and further faith not.

PRITCHETT WILLY.
Sworn to before me the subscriber, this 5th of April, 1785.

JOHN SMOOT.
The six lots mentioned in the two last depositions, did not sell for one hundred pounds.
To the above depositions I take the liberty of adding the copy of a letter from Mr. Hollyday to the late intendat.

S I R,
At the sale of Nanticoke manor, I made a purchase (as I supposed) of three lots of land, two of which appeared, by the plot by which the commissioners sold, to be contiguous; one of these two was a lot of marsh, and the inducement for purchasing of it was its contiguity to the other; but when the survey was made of the manor, a tract of patented land lay between them, which rendered them both of less value. The third lot, when the survey was made, was cut in two, by laying down a tract of land claimed by Pritchett Willy, under a warrant from the land-office, so that instead of three lots, which I expected, there were four, and all of them lying separate from each other. As I was so much deceived in my purchase, I am desirous of relinquishing my claim to three of the lots, the other I have sold a part of, and passed my bond for the conveyance, this I have bonded for and propose to keep.

I am your obedient servant,
Signed CLEMENT HOLLYDAY.
The intendat of the state of Maryland.

Intendant's office, July 20, 1785.
S I R,
The reasons you have assigned for relinquishing your claim to all but one lot of land that you purchased in Nanticoke manor, are sufficient to induce me to set aside the sale, which I most cheerfully do, on condition that you account to the state for the amount of the lot you sold, upon which your bond shall be given up. I do not think I can, with propriety, declare the sale void on any other terms.

I am, Sir,
Your obedient servant,
Signed DAN. OF ST. THO. JENIFER.
CLEMENT HOLLYDAY, Esq;
To be Continued.
DAN. OF ST. THO. JENIFER.

L O N D O N, August 31.
LETTERS from Barcelona, dated the 29th of July, say, "The Algerines are in great numbers on the coast, and scarce a day passes but they commit depredations on neutral vessels up the Straits: a Turkish ship from Leghorn to Cadiz and Lisbon mounting 24 guns is taken and carried into Algiers."

Extract of a letter from Naples, July 13.
"The king has given orders for the fleet of men of war to sail immediately to join the Portuguese and the other confederate powers, which are to act against the Algerines; the nations which formed the general confederacy are the Portuguese, Maltese, Genoese, Venetians and Leghorners, they will also be joined by some frigates from the Ecclesiastic States, which, when together, will make a prodigious armament."

Sept. 7. The marching and countermarching of the imperial armies, is no proof that Joseph meditates anything serious. It is rather a proof that he is anxious to put himself in a posture to repel the attacks of neighbouring powers. His bravadoes regarding the Dutch, were but badly seconded by action. In the present case it is probable that he makes a great show of power in order to intimidate his neighbours. He is no stranger to the genius and resources of Frederick the IVth, and he knows well, that though his own troops have been long in training, they must be inferior to the Prussians, numbers of whom have served many years in the field.

Sept. 11. The French treaty seems at length to draw to a period. It has been a very considerable time on the tapis, but no blame can be laid to the charge of any man on that score: especially if it be considered that the field the negotiators had to traverse was a new and unexplored one, and that the French are ever dilatory and fickle in the formation of stipulations which are to bind them to the observance of national faith.

A L B A N Y, November 9.
A gentleman who arrived in town on Monday last from Canada, informs us, that on the 22d of October,

arrived in Quebec, Lord Dorchester (formerly Sir Guy Carleton) governor-general of all his Britannic majesty's possessions in North-America. The British newspapers say he has full powers to treat with the congress of the United States touching the surrender of the frontier posts, which ought to have been given up long ago.

Those posts are yet held by the British, in the most daring violation of the treaty of peace—to the great detriment of this state's commerce, and to the eternal disgrace of the United States.

By means of the forts which the British hold to the westward, they are enabled to assist the Indians, with their counsel and otherwise, in the depredations which they have already commenced on the frontiers of Virginia.

We have the highest expectations that in a very few days we shall have the pleasure to inform the public, of the sudden and total extirpation of the Indians, on the Mississippi, Wabash, &c. as the honourable the congress have recommended to the executive of New Hampshire, Massachusetts, and the other eastern states, to call their legislatures together as soon as possible to consider of the expediency of raising troops for this express purpose.

N. B. The distance from New-Hampshire to the Mississippi is hardly three thousand miles.

ANNAPOLIS, November 30.

On Monday last an election was held for one delegate to represent this city in general assembly, in the room of Thomas Jennings, Esq; who had resigned, and Mr. Jennings was re-elected.

By the HOUSE of DELEGATES, November 28, 1786.

RESOLVED, That before this house will grant any relief to collectors of the tax, they shall lay before this house, a list, on oath, of the persons names, and several balances due from each person in their counties for the taxes laid under the assessment laws, passed in November 1783, and 1784.

ORDERED, That the said resolution be published in the Maryland Gazette, and Baltimore Journal.

By order,
W. HARWOOD, cl. ho. del.

* * * The answer to the Delegate cannot be inserted for want of room.

To be SOLD, at public vendue, on the 14th day of December, at the late dwelling of Thomas Watkins, late of Anne-Arundel county, deceased,

SUNDRY valuable negroes, stock, and household furniture, for ready money.
ELIZABETH WATKINS, administratrix.

November 21, 1786.
THE subscriber begs leave to inform the public, that he purposes to occupy and keep tavern at the stand where Mr. Leonard Davis lives, at Montgomery court-house, after the first week in December, and flatters himself that all those who please to call on or favour him with their custom, will meet with good usage and general satisfaction from their most obedient,

1 Example
SAMUEL BARRON.

July 14, 1786.
COMMITTED to my custody as a runaway, a lusty, well set negro man who says his name is WILLIS, and that he is a house carpenter, appears to be about thirty years of age, says he belongs to Jeremiah Brown, who lived in Harford county, North-Carolina, but has removed into Mecklenburg county, in Virginia. His master is desired to come and take him away and pay charges, by the 10th of December next, or he will be sold for his prison fees.

DAVID STEUART, Sheriff of Anne-Arundel county.

THERE is at the plantation of Joshua Yates, living near South river church, in Anne-Arundel county, taken up as a stray, a black MARE about 13 hands and an half high, branded on the shoulder C D. The owner may have her again on proving property and paying charges.

November 13, 1786.

Just imported in the ship Washington, captain William Chapman, from London, and now opening at the subscriber's store, in Annapolis,

A N assortment of goods, consisting of a great variety of articles suitable to the season, which he will sell on the most reasonable terms for ready money. He has also for sale, all kinds of wet goods as usual, among which is some most excellent Barbadoes cane spirit.

3 X
WILLIAM WILKINS.

TAKEN up as a stray, by Jacob Green, living in Prince George's county, a small MARE about twelve hands high, branded on the near side C. The owner may have her again on proving property and paying charges.

2

TAKEN up as a stray, by Thomas Bicknell, living near the Head of South river, in Anne-Arundel county, a brown MARE, about thirteen hands and an half high, seven years old; has a star in her forehead, neither docked nor branded, paces, trots, and gallops. The owner may have her again on proving property and paying charges.

2

OCTOBER 9, 1786.
I INTEND to petition the next general assembly for restitution of, or compensation for, that part of my confiscated property which remains unsold.

JOHN SHUTTLEWORTH.

Nottingham, Patuxent river, Prince-George's county, September 15, 1786.

PUBLIC SALE,

OF a very valuable estate, by virtue of a deed of trust from Mr. Walter Brooke Cox and Anne his wife, to Fielder Bowie and Anne Cox, executrix of Thomas Smith Cox, bearing date the 9th of May 1786, which said deed of trust was made by the said Mr. Walter Brooke Cox, in consequence of the said Fielder Bowie and Thomas Smith Cox, deceased, having become security for the said Mr. Walter Brooke Cox to Samuel Hughes, Esq; and for which said debt judgment hath been obtained, and execution issued against the principal and his securities, for the payment of which, will be exposed to public sale, on Thursday the 14th of December next, if fair, it not the next fair day, on the premises, for ready money, the following tracts or parcels of land; Orchard, containing 190 acres; Quick Sale, 52; Part of Twiford, containing 198; Part Littleworth, containing 20 acres; and Good Luck 39 acres; in the whole making 499 acres; all which said lands lieeth adjoining to each other, and situate within half a mile of the town of Nottingham, on Patuxent river. This land is very level, and well adapted to corn, wheat, rye, and tobacco, and has the advantage of an extensive range for all kinds of stock, with wood sufficient to support the whole with care. On the premises are, a convenient dwelling house, kitchen, meat house, corn house, three tobacco houses, and two negro quarters, all in but bad repair, two small orchards of excellent fruit; part of this plantation is under good fence. This land will be sold as will best suit, together or separate; the title thereof is indisputable. At the same time and place will be sold, one other tract of land, it is the present residence of Mr. Walter Brooke Cox, containing about 128 acres, on which are, a good and convenient dwelling house, kitchen, quarter, corn house, &c. &c. There is likewise on this tract a great variety of fruits; it is a beautiful situation, and the soil good, and has a never failing spring of good water near the buildings.

And on Monday the 18th of December next, if fair, if not the next fair day, will be sold on the same terms, the following tract of land, in Montgomery county, about 3 miles from Bladensburg, 10 from Georgetown, and 35 from Baltimore-town, containing 317 acres, on this place is erected a convenient and comfortable dwelling house 38 by 28, with three rooms and a passage below, two rooms above stairs, and brick chimneys, with all necessary outhouses, such as kitchen, negro quarters, stables, and tobacco houses; there are also on this land, about half a mile from the former, a good dwelling house with stone chimneys, and all necessary outouses; there are a great variety of fruit trees of all kinds on both these tenements; the soil is well adapted to the cultivation of corn, wheat, and tobacco, and as it is so conveniently situated to those several capital and improving trading towns, there cannot be a doubt but it will become very valuable in a few years. And also, on Thursday the 14th of December, will be sold to the highest bidder, nineteen valuable country born slaves, consisting of men, women, boys, and girls; also all the horses and cattle, among which are some valuable oxen, and all the plantation utensils. Attendance will be given on the days appointed, by

FIELDER BOWIE, ANNE COX, executrix of Thomas S. Cox

At Annapolis, August 9, 1786.

WHEREAS Mr. Thomas Rutland hath thought proper to publish an advertisement for forwarding all persons indebted for dealings at either of his stores in Virginia or Maryland, from paying any money to Mr. John Petty, in behalf of the firm of Yates and Petty, and has assigned for the reason of such publication, that the said Petty had broken the award determined on by gentlemen mutually chosen to adjust their differences, I think it proper to inform the public, that the prohibition of Mr. Rutland is as unjust as his allegation in this respect is without foundation. The supposed breach of the arbitration arises in his opinion, as far as I can conjecture, on the suit commenced by Yates and Petty for the recovery of a very considerable balance due to them from Mr. Rutland, but a bare recollection must convince him that his conduct in disposing of a considerable part of his estate, subsequent to the award rendered this step absolutely necessary, and that Yates and Petty are fully justified in pursuing it, by the terms of the award made by the gentlemen appointed, of which all persons may be fully satisfied by applying at the store of Mr. Petty, in Annapolis. It is with concern that the subscriber finds himself under the necessity of entering into a public altercation respecting his private affairs, but should Mr. Rutland persist in his unjustifiable accusations, a full account of his transactions with and conduct towards Yates and Petty, will enable an impartial public to judge which of the parties has the greatest reason to complain of ill treatment.

The subscriber takes this opportunity of requesting all persons indebted for dealings at the stores (late Mr. Rutland's) in Virginia or Maryland, to make him immediate payment of their respective accounts, or be liable under the necessity of making use of compulsory measures to recover the same, which will be very disagreeable to their credit and interest.

Most obedient humble servant,
JOHN PETTY.

14

To be RENTED,

A VERY good grist mill with two pair of stones, bolting clothes, and every thing convenient, with a large meadow, lying on the Head of South river. Any person inclinable to rent may have possession in December.

3 W
FRANCIS RAWLINGS.

SUPPLEMENT to the MARYLAND GAZETTE.

THURSDAY, NOVEMBER 30, 1786.

Upper-Marlbrough, October 29, 1786.



STRAYED or stolen, from the subscriber, at Upper-Marlbrough, on the 16th of September, a likely gray HORSE, about fourteen hands and an half high, trots and gallops, neither docked nor branded, the end of his tail is white, which he carries very well, he was shod before a few days before he was missing. Any person that will bring him to me shall receive a reward of three guineas.

JOHN HALKERSTON.

October 13, 1786.

**Wanted immediately,
As an overseer,**

A MAN that is well acquainted with the management of a number of negroes, and understands farming; none need apply that cannot be well recommended; with or without a family will be immaterial; good encouragement will be given to a man that understands his business. Inquire of the Printers.

NOTICE is hereby given, that the subscribers intend to petition the general assembly, at the ensuing session, for an act to appropriate so much of the money arising from the rents of the glebe lands of the parish of St. Margaret's, Westminster in Anne-Arundel county, as will discharge the arrears due for building the Chapel of Ease in said parish, and for which judgments have been recovered against them in Anne-Arundel county court.

VACHEL STEVENS,
JOHN WALKER,
RICHARD JACOB,
WM. PUMPHRY.

EIGHT DOLLARS REWARD.

November 7, 1786.



RAN away from the subscriber, living in Prince-George's county, on the third day of June last, a negro man named TOM, about 30 years of age, 5 feet 3 or 4 inches high, square made, full faced, of a yellowish complexion, has a scar on the left side of his upper lip, his dress unknown; he was taken from my house in a clandestine manner some years ago by some persons employed for that purpose, from whom he made his escape, and was gone about two years and nine months, during which he passed by the name of Thomas Jenifer; the first year he says he lived with John Plummer, in Anne-Arundel county, near Mount Pleasant ferry; the remainder of the time he lived, he says, at a plantation on this side of London town, belonging to Mr. Stewart, from whence he was brought home; he pretends to have a wife at Benjamin Lane's, in Anne Arundel county, whose mother lives at Miss Mary Parker's, in Calvert county, at which place it is imagined he is harboured by the negroes. Any person who takes up the said negro and will bring him home to the subscriber, shall receive the above reward, paid by 2 w 3

JOSHUA BEALL.

Montgomery county.



THERE is at the plantation of John B. Pearce, near the Sugar-lands, taken up as a stray, a small female MAKE, about 14 hands high, has a long star in her forehead, branded on the near shoulder S, about four years old, shod all four, has a hanging mane and switch tail, trots and gallops. The owner may have her again on proving property and paying charges.

3X

Annapolis, November 2, 1786.

ALL persons having claims against Henry Jones, late of Anne-Arundel county, deceased, are requested to bring them in to the subscriber as soon as possible, as he is very desirous of ascertaining the amount, that he may proceed to the sale of the effects of the deceased, for the purpose of discharging all just claims, and all persons indebted to the deceased are requested to make payment.

THOMAS HARWOOD, executor
of Henry Jones, deceased.

EIGHT DOLLARS REWARD.

Montgomery county, November 22, 1786.



RAN away from the subscriber, on the 11th instant, living within six miles of the court-house, negro JAMES, a likely young fellow, about 24 years of age, and about 5 feet 3 or 4 inches high; had on when he went away a light coloured country suited coat, a dark gray bearskin waistcoat, double breasted, a pair of old corduroy breeches, osenabrig shirt, and felt hat. Whoever takes up the said slave and secures him in any goal, so that his master gets him again, shall receive four dollars if ten miles from home, and if twenty or a greater distance the above reward, paid by 2

ALLEN BOWIE.

N. B. All masters of vessels are earnestly requested to have the said negro committed to goal, should he offer to engage on board of their vessel.

A. B.

**W. GODDARD'S
ALMANACK,
For the Year of our Lord 1787.
To be Sold at the Printing-Office.**

Annapolis, 15th Nov. 1786.

Just imported in the ship Washington, capt Chapman, from London, and to be sold on the most reasonable terms by Ridgely and Evans at their store situated on Corn-hill-street, near the Dock, for cash or good bills of exchange on Messrs. Wallace, Johnson and Muir, London.

AN assortment of goods suitable to the season, amongst which are, superfine, second, and coarse cloths, double milled drab, bearskins, halithi ka, knapt frize, pennistones, negro cottons, linseys, green bays, great coats, pea jackets, trousers, green, blue and mottled rugs, rose and striped blankets, calimancoes, durants, tammies, camblets, yard wide figured stuffs, crapes, large denim, silk and stuff quilted petticoats, corduroys, sattinet, satin beaver, fustians, plain and striped velvets, mens and womens worked and yarn stockings, mitts gloves, sailors caps, and a great many other articles not enumerated.

RIDGELY and EVANS.

P. S. We desire that all those who are indebted to us will be pleased to settle up their last year's accounts, that we may be enabled to make good our remittances.

R. and E.

WHEREAS a certain William Courtney, of Washington county, sold Thomas Courtney Reeves, part of two tracts of land, called Betsey's Delight, containing sixty-two acres, and part of a tract called Mistake, containing forty-five acres, lying in Charles county; and the said lands by mistake were conveyed in the name of Thomas Courtney Reeves, and since the said William Courtney has moved off to Kentucky, but the said deed, for want of the proper name, being defective; this is to give notice, that I intend to apply to the next general assembly, praying an act may pass to give the same effect to the deed, as if the proper name had been mentioned, and likewise to have the said deed recorded agreeable to law.

THOMAS COURTNEY REEVES.

NOTICE is hereby given, that we intend to take the depositions of witnesses to establish the will of Notley Maddock, late of Charles county, deceased, and to establish our right to lands devised from him, on Monday the twenty-seventh day of November next, at the house of Robert D. Semmes, in Port-Tobacco-town, of which all persons concerned are desired to take notice.

HENRY MADDOCKE,
NOTLEY MADDOCKE.

Port-Tobacco, September 16, 1786.

THIS is to give notice, that a petition will be presented to the next general assembly, that part of the main road which leads from Port-Tobacco to the old court-house, may be moved up a valley through the reverend Mr. Leonard Neale's plantation.

7

but when the title what was due to the purchaser, when the first purchaser; safe, unless it be after it had been laid differently first sale. In the by Fitchet was for, and under an described by you; rule of justice or that because a he first purchaser all not be entitled from whom he purchased. I have always entitled to every from he purchased to your logic, a old be claimed by ased, because he was paid by the the circumstance as to have any infer additional punishment of them. the subject by the of fashionable me which you have her unfit for your

ian had cut down he had done so; to account for the e was valued by ted by you, and ovements to a far ounted to, as ap u now in my poss against the da make a balance of which balance de-mentioned as a life is these facts? A he land is no cause very act authorising subject supposes, let aside, although property, because is, "that if any of ased from his pur on of the said land, thereon, and hath valent to such use ll have power and use or damage with innot agree, to ap he same; the value ured by bond, and 3rn shore, and the ant, to declare the ed upon the pur bond to the value settled as herein di

at the first sale for nd sale it was con- 2, No. 5 and 6, in water, in the whole connected fold at the back lots been credibly informed y thing like halt the refore be fairly said, from vacating this

our other cases they answer as that which

ved and have paid direction given to s, to lay off the parcels, which im- made, you have most ical situation of our affairs in the year 1781, and of your great exertions to support the credit of the red money. Now, with every disposition to give all due credit to your wisdom in supposing, that sudden sales of property made upon bond, payable in three succeeding years, would in time of danger give credit to a money depending for its redemption on the success of the American cause, I cannot agree that your actions perfectly correspond with this theory. But we are now upon the subject of Nanticoke manor, and cer-

to limits near the land, it is found that the land lies in an entire different position, leaving out the soil and improvements which were the objects of purchase, I believe no person in the least acquainted with the rules of justice would say the purchaser should be obliged to take the property, so differently circumstanced from what he was lead to suppose, at the price stipulated for the property intended to be bought.

above referred to, and he, I presume, knew the description by which he sold the land, but suppose your word is to be taken before his oath, which certainly will not be done by any person the least acquainted with either, yet, I conceive, when the quantity of unprofitable ground so far exceeds what any man would have had an idea of, if only the probable quantity was mentioned, that it was just cause for setting the sale aside; a few acres more or less would have made no such difference as would

now upon the subject of Nanticoke manor, and cer-

Vienna, which said to be expected to lay arrived in Quebec; lord Dorchester (formerly Sir Guy Not Agham, Patuxent river, Prince George's county, September 15, 1786.

Sworn to before of April, 1785.

The deposition being sworn on and faith, That confiscated British coke manor, that three lots, No. - Vienna, which a different place from came to be laid o

Sworn to before of April, 1785.

The six lots m tions, did not fel To the above adding the copy to the late intent S I R,

At the sale purchase (as I o two of which the commissions of these two was ment for purch the other; but manor, a tract them, which re The third lot, y cut in two, b claimed by Prio from the land-o which I expecte them lying separ so much deceive of relinquishing the other I have bond for the co for and propose I am you Signed (The intendant

S I R, The reasons y your claim to all chafed in Nantico me to set aside the c n condition that amount of the lot shall be given up, priety, declare th I am, S Your Signed CLEMENT HO

L O N LETTERS July, say, " on the coast, and depredations on he can ship from Legh 24 guns is taken an Extra of

"The king has war to fail immedia other confederate p Algerines; the nat federacy are the Po tians and Leghorne frigates from the E gether, will make a Sept. 7. The m imperial armies, is thing serious. It is to put himself in a p bouring powers. H were but badly fecu e it is probable th in order to intimidat ger to the genius an and he knows well, been long in traini Prussians, numbers the field.

-Sept. 11. The draw to a period. on the tapis, but of any man on that that the field the neg and unexplored one, tory and fickle in the form of stipulations which are to bind them to the observance of national faith?

A L B A N Y, November 9. A gentleman who arrived in town on Monday last from Canada, informs us, that on the 22d of October,

TWO HUNDRED DOLLARS REWARD.

Philadelphia, November 11, 1786. The counting-house of the subscriber, on Mr. Blair M'Clenachan's wharf, was broke open last night, and the undermentioned NOTES taken out, with sundry other papers:

SECOND BILLS of EXCHANGE, PROTESTED BILLS, &c.

As they can be of no use to the robbers, it is expected they will throw them away. Should any person find them he shall be entitled to the above reward; but should they be offered for sale, it is expected they will be stopped, and notice given to WILLIAM BELL.

1785.	Montgomery and Caldwell's note to William Keith, at 4 months.	174 17 5
Oct. 11.	James Gibbon's draught on J. and C. Hart, in favour of B. Hawkins.	— — —
May 18.	John Thornber's note to John Cockshot, at 90 days, John Little's on Michael Gratz, in favour of Thomas Irvin.	180 0 0
Dec. 17.	Matthias Slough to William Bell, 60 days.	37 10 0
May 11.	Ditto ditto, William Nichols, 60 days.	186 4 2
Feb. 18.	Ditto ditto, William Greer to William Bell, at 1 month.	252 6 2
August 13.	William Montgomery to William Bell, 6 months.	53 12 10
Dec. 11.	John Earle to William Bell, 1 month.	30 12 0
1786.	January 1. Martin M'Dermott to ditto, 31 days.	140 0 0
February 6.	Thomas Truxton on Benjamin Hawkins, 12 months.	15 0 0
January 1.	M'Clenachan and P. Moore's draught on Crockett's and Harris, at 20 days.	160 1 0
June 13.	Charles Drum to William Bell, at 40 days.	196 0 0
— 13.	Andrew Uhler, four notes, 20, 30, 40, and 50 days.	9 15 0
July 29.	Margaret York's receipt for King and Lowrey's receipt for	31 8 10
Sept. 13.	Thomas Denton to William Bell, 3 months.	30 0 0
May 14.	James Heard to Samuel Nicholas, 1 month.	52 10 0
— 18.	Francis Allison, on Allison M'Knight, and Co. accepted, 4th August, payable at 90 day, for Virginia currency.	50 7 94
August 13.	Timothy Hurst on John Supple, at 1 month.	37 10 0
Sept. 20.	William Price, and Co. in favour of William Bell, on Nalbro Frazier, at two months.	450 0 0
Oct. 16.	Richard Soderstrom to Thomas Fitzsimons, at twelve months with interest	9 0 0
Sept. 4.	Richard Butler on John Nicholas, 45 days.	20 3 10
Oct. 18.	Jacob Baker to William Bell, 90 days.	242 5 0
35.	Samuel Meredith to William Bell, 90 days.	375 0 0
33.	Charles Syng, and Co. ditto, 10 days.	141 7 1
36.	Thomas Lea to ditto, 6 months.	150 0 0
39.	Stewart & Plunket's draught on Conynham, Nesbit, and Co. in favour of Walter Roe, at 45 days, accepted 1st November.	33 8 0
Nov. 1.	William Bradford's order on Isaac Lloyd or Thomas Canby, in favour of William King, accepted by Thomas Canby, 8th November.	67 15 8
Oct. 17.	John Fromberger in favour of William Bell, 45 days.	300 0 0
5.	William and John Smith's draught, in favour of Benjamin Stoddart, on Robert Morris, at 30 days, accepted 10th October.	39 0 0
3 X	Blair M'Clenachan, on Arthur St. Clair, and Co. in favour of William Bell.	525 0 0
	Blair M'Clenachan, on Arthur St. Clair, and Co. in favour of William Bell.	374 3 6
	Blair M'Clenachan, on Arthur St. Clair, and Co. in favour of William Bell.	60 0 0

Payment of the above bills and notes is stopped.

November 16, 1786. By the COMMITTEE of GRIEVANCES and COURTS of JUSTICE,

NOTICE is hereby given, that the committee of grievances and courts of justice will set every day, during the present session, from nine o'clock in the morning until three in the afternoon.

By order, JOHN GASSAWAY, clk.

Cool-Springs, November 11, 1786.

THE subscriber hereby notifies to the trustees of Charlotte Hall School, that, unless the lime and bricks prepared for the building thereof are reviewed, and either received or condemned, by the fourth day of December, he shall proceed to have laid lime and bricks viewed by competent judges, and if by them deemed sound, and fit for use, to charge the trustees therewith.

2 X R. CARNES.

THERE is at the plantation of Hezekiah Wheeler, living in Pif at w.y, taken up as a stray, a bay MARE, about fourteen hands and an half high, appears to be about nine years old, has no brand, trots and gallops, and has a remarkable white spot on her off flank. The owner may have her again on proving property and paying charges. 2 w 3

Annapolis, November 22, 1786. Will be SOLD, on Monday the 12th of December next, at the dwelling house of Henry Jones, late of Anne-Arundel county, deceased, on Patuxent, about three miles from Queen-Anne, for the purpose of paying his debts,

SUNDRY articles of household furniture, some cattle and horses, and several valuable country born negroes. The terms of sale will be made known on that day, and begin at 10 o'clock.

2 THOMAS HARWOOD, executor of Henry Jones.

Upper Marlborough, November 26, 1786. ALL persons who have claims of any kind against the estate of Henry King, late of Prince-George's county, deceased, are desired to furnish their respective demands, properly authenticated, to Mr. Elias Tucker, at the register's office, in Upper Marlborough, in the county aforesaid, as soon as they conveniently can, he being authorized to settle and adjust the estate of the deceased. It being the wish of the subscriber to close the administration as soon as possible, and satisfy the claims of creditors, it is hoped they will be speedy in their application.

ROBERT SIM, administrator. P. S. All persons indebted to the deceased are also requested to call on Mr. Elias Tucker, without delay, to settle and pay off the demands against them, as the situation of Henry King's affairs will not admit of long indulgence. 2 R. S. adm.

November 5, 1786. THE subscribers, being the only surviving trustees for the charity-school, and the several tracts of land thereto belonging, in Talbot county, give notice, that they intend to apply to the next general assembly, for leave to vest in the commissioners of the poor-house of the same county, the value of the said charity-school, and of the lands above mentioned. 2 MATTHEW TILGHMAN, JOHN GORDON.

COMMITTED to my custody, on the 18th of November, 1786, a certain MICHAEL MORE, who says he belongs to captain — scars, of Bush-town, in Harford county, Maryland. His master is desired to come and take him away and pay charges. 2 X DAVID STEUAR, sheriff of Anne-Arundel county.

St. Mary's county, October 25, 1786. To be SOLD, by the subscriber, at his dwelling-house, on Thursday the 14th of December next, for cash or tobacco,

A PARCEL of likely country born slaves, consisting of men, women, boys and girls. Credit will be given, on giving bond upon interest with approved security.

JOHN SOMERVELLE.

Just imported in the ship Washington, captain Chapman, from London, and now opening at the subscriber's store, on the Dock,

A VERY general assortment of fall and winter goods, which will be sold on the most reasonable terms for cash, or bills on London.

3 JAMES MACKUBIN.

October 9, 1786. I INTEND to petition the next general assembly for restitution of, or compensation for, that part of my confiscated property which remains unsold.

7 JOHN SHUTTLEWORTH.

Working-clothes, and every thing convenient, with a large meadow, lying on the Head of South-river. Any person inclinable to rent may have possession in December.

3 FRANCIS RAWLINGS.